

CITY OF SEATTLE
ORDINANCE _____

COUNCIL BILL 117476

AN ORDINANCE relating to Sound Transit's Central Link Light Rail project; declaring portions of Tracts 9, 10, and 11 of the Plat of Lake Dell, portions of Tract 15 of Dunlap's Plat of Land on Lake Washington, and portions of Block 2 Dunlop's Supplemental to the City of Seattle to be surplus to utility needs; authorizing the transfer of jurisdiction over said real property from the City Light Department and placing it under the jurisdiction of the Seattle Department of Transportation; laying off and dedicating said property for street purposes; and ratifying and confirming certain prior acts.

WHEREAS, Ordinance 59113 authorized the City of Seattle in 1930 to purchase certain property rights in King, Snohomish, Skagit, and Whatcom Counties as a right of way for electric transmission line; and

WHEREAS, the real property legally described in Section 2 was acquired by the City of Seattle, and placed under jurisdiction of the City Light Department ("SCL") pursuant to Ordinances 87986 and 109551 and 59599; and

WHEREAS, certain real property rights associated with portions of Tracts 9, 10, and 11 of the Plat of Lake Dell, portions of Tract 15 of Dunlap's Plat of Land on Lake Washington, and portions of Block 2 Dunlop's Supplemental to the City of Seattle, are surplus to the utility needs of SCL and are needed by the Seattle Department of Transportation ("SDOT") for street purposes related to the Sound Transit Central Link Light Rail project; and

WHEREAS, on April 20, 1998, pursuant to Ordinance 118927, the City of Seattle authorized a Memorandum of Agreement for Intergovernmental Cooperation with the Central Puget Sound Regional Transit Authority; and

WHEREAS, on April 10, 2000, in Resolution 30128, the City Council approved the light rail alignment, station locations, and maintenance base location for the Central Link Light Rail Project; and

WHEREAS, on July 30, 2000, pursuant to Ordinance 119975, the City Council authorized an agreement with Sound Transit to allow the non-exclusive use of certain City of Seattle streets and rights-of-way for the Central Link Light Rail Project; and

WHEREAS, Sound Transit and the City of Seattle now desire to include nine parcels of land, along the approved route of the Central Link Light Rail Project, within the scope and authority of the agreement authorized by Ordinance 119975; and

1 WHEREAS, on March 4, 2009, Sound Transit agreed to pay the City of Seattle the true and fair
2 value of \$113,000 for 19,884 square feet of land in fee as described in Section 2;
3 NOW, THEREFORE,

4 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

5 Section 1. Pursuant to the provisions of RCW 35.94.040, and after a public hearing, a
6 portion of the real property acquired pursuant to the authority of City of Seattle Ordinances
7 59113, 87986, 109551, and 59599 is hereby found and declared to be no longer required for
8 providing municipal utility purposes. Seattle City Light (“SCL”) will benefit from this transfer
9 of jurisdiction over said real property by receipt of monetary compensation for the true and full
10 value of said real property from Sound Transit, pursuant to the interlocal agreement authorized
11 by Ordinance No. 119975. The remainder of the real property rights acquired by the City of
12 Seattle pursuant to the above identified ordinances, and not otherwise transferred to SDOT by
13 this Ordinance, will remain designated for municipal electric utility purposes under the
14 jurisdiction of SCL.
15

16
17 Section 2. The Superintendent of SCL or his designee is hereby authorized to transfer to
18 SDOT, and the Director of SDOT is hereby authorized to accept for street purposes jurisdiction
19 over portions of the real property rights acquired pursuant to Ordinances 59599, 87986, 109551,
20 and 59599, legally described as follows:
21

22 SOUND TRANSIT PARCEL NO. RV-274

23 That portion of Tract 11, Plat of Lake Dell, according to Plat recorded in Volume
24 4 of Plats, page 17, in King County, Washington, lying between the westerly line
25 of Empire Way No. 2 as established by Ordinance No. 55314 and the City Light
26 Transmission right-of-way, described as follows:
27

Commencing at a 4-inch square concrete monument with brass pin in monument case marking the centerline intersection of Martin Luther King Jr. Way and South Cloverdale Street;
thence North 89°20'59" West, along the centerline of said South Cloverdale Street, 75.49 feet;
thence North 00°39'01" East, 30.00 feet to the TRUE POINT OF BEGINNING;
thence North 24°17'09" West, 39.19 feet;
thence North 39°59'10" East, 1.56 feet;
thence North 17°49'34" West, 143.97 feet;
thence North 15°41'28" West, 112.99 feet to a point on the north line of said Tract 11;
thence South 88°56'53" East, along said north line, 14.32 feet to a point on the westerly line of Martin Luther King Jr. Way right-of-way;
thence South 18°13'44" East, along said westerly line, 279.45 feet to a point on a curve to the right having a radius of 13.00 feet and a radial bearing of South 71°46'16" West, 13.00 feet;
thence southwesterly along the arc of said curve through a central angle of 106°38'22" an arc distance of 24.20 feet to the TRUE POINT OF BEGINNING.
EXCEPT for street.

SOUND TRANSIT PARCEL NO. RV-283 TAKE 1

That portion of Tract 11, Plat of Lake Dell, according to Plat recorded in Volume 4 of Plats, page 17, in King County, Washington, described as follows:

Commencing from a monument in case with brass pin found in the intersection of Martin Luther King Jr. Way and South Cloverdale Street;
thence North 89°20'59" West, along the centerline of said South Cloverdale Street, 75.49 feet;
thence North 00°39'01" East, along a line perpendicular to the centerline of South Cloverdale Street, 30.00 feet to a point on the north margin of South Cloverdale Street said point also being on the easterly line of the City of Seattle Transmission right-of-way and the TRUE POINT OF BEGINNING;
thence North 89°20'59" West, along the north margin of South Cloverdale Street, 45.64 feet;
thence North 41°04'06" East, 45.54 feet to a point on the easterly line of the City of Seattle Transmission right-of-way;
thence South 24°17'09" East, along the easterly line of the City of Seattle Transmission right-of-way, 38.23 feet to the north margin of South Cloverdale Street and the TRUE POINT OF BEGINNING.

SOUND TRANSIT PARCEL NO. RV-283 TAKE 2

That portion of Tracts 9 and 10, Plat of Lake Dell, according to Plat recorded in Volume 4 of Plats, page 17, in King County, Washington, described as follows:

Beginning at a point on the intersection of the north margin of South Trenton Street and the west margin of Martin Luther King Jr. Way;
thence North $88^{\circ}46'22''$ West, along the north margin of South Trenton Street, 14.86 feet;
thence North $24^{\circ}17'09''$ West along the westerly line of the City of Seattle Transmission right-of-way, 18.36 feet to a point on a non-tangent curve to the left having a radius of 578.94 feet and a radial bearing of North $78^{\circ}17'30''$ West;
thence northerly along the arc of said curve through a central angle of $00^{\circ}47'52''$ an arc distance of 8.06 feet;
thence North $37^{\circ}20'27''$ East, 1.69 feet to a point on a non-tangent curve to the left having a radius of 1191.21 feet and a radial bearing of North $79^{\circ}04'06''$ West;
thence northerly along the arc of said curve through a central angle of $04^{\circ}20'43''$ an arc distance of 90.34 feet to a point on a non-tangent curve to the left having a radius of 1191.21 feet and a radial bearing of North $85^{\circ}36'13''$ West;
thence northerly along the arc of said curve through a central angle of $09^{\circ}09'51''$ an arc distance of 190.53 feet to a point on a non-tangent curve to the left having a radius of 1180.21 feet and a radial bearing of South $83^{\circ}04'07''$ West;
thence northerly along the arc of said curve through a central angle of $02^{\circ}30'23''$ an arc distance of 51.63 feet;
thence North $02^{\circ}59'53''$ West, 10.25 feet to a point on a non-tangent curve to the left having a radius of 1197.89 feet and a radial bearing of South $80^{\circ}03'28''$ West;
thence northerly along the arc of said curve through a central angle of $02^{\circ}57'11''$ an arc distance of 61.74 feet;
thence North $25^{\circ}49'45''$ West, 10.26 feet to a point on a non-tangent curve to the left having a radius of 1188.81 feet and a radial bearing of South $76^{\circ}35'29''$ West;
thence northerly along the arc of said curve through a central angle of $5^{\circ}58'47''$ an arc distance of 124.07 feet;
thence North $18^{\circ}48'05''$ West, 48.22 feet;
thence North $44^{\circ}04'00''$ West, 1.70 feet;
thence North $17^{\circ}49'24''$ West, 11.90 feet to a point on a curve to the left having a radius of 14.00 feet;

thence northerly along the arc of said curve through a central angle of 46°46'20"
an arc distance of 11.43 feet to the south margin of South Cloverdale
Street;
thence South 89°20'59" East, along said south margin, 16.78 feet;
thence South 24°17'09" East, 77.25 feet to the west margin of Martin Luther King
Jr. Way and to a point on a non-tangent curve to the right having a radius
of 1456.09 feet and a radial bearing of South 74°26'56" West;
thence southerly along said west margin and along the arc of said curve through a
central angle of 21°55'11" an arc distance of 557.06 feet to the north
margin of South Trenton Street and the point of beginning.

SOUND TRANSIT PARCEL NO. RV-283 TAKE 3

That portion of Tract 9, Plat of Lake Dell, according to Plat recorded in Volume 4
of Plats, page 17, in King County, Washington, described as follows:

Beginning at the intersection of the north margin of South Trenton Street and the
east margin of Martin Luther King Jr. Way being a point on a curve to the
left having a radius of 1546.09 feet and a radial bearing of North
83°55'49" West;
thence northerly along said east margin and along the arc of said curve though a
central angle of 0°15'33" an arc distance of 6.99 feet;
thence South 62°57'07" East, 16.02 feet to the north margin of South Trenton
Street;
thence North 88°45'36" West, along said north margin, 15.00 feet to the east
margin of Martin Luther King Jr. Way and the point of beginning.

SOUND TRANSIT PARCEL NO. RV-283 TAKE 4

That portion of Tract 9, Plat of Lake Dell, according to Plat recorded in Volume 4
of Plats, page 17, in King County, Washington, described as follows:

Commencing at the intersection of the north margin of South Trenton Street and
the east margin of Martin Luther King Jr. Way being a point on a curve to
the left having a radius of 1546.09 feet and a radial bearing of North
89°52'38" West;
thence northerly along said east margin and along the arc of said curve though a
central angle of 08°05'10" an arc distance of 218.20 feet to the TRUE
POINT OF BEGINNING;
thence continuing along said east margin and said curve to the left through a
central angle of 0°50'23" an arc distance of 22.66 feet;

thence South $24^{\circ}17'09''$ East, 2.83 feet to a point on a non-tangent curve to the right having a radius of 1268.58 feet and a radial bearing of North $89^{\circ}52'38''$ West;
thence southerly along the arc of said curve through a central angle of $0^{\circ}54'22''$ an arc distance of 20.06 feet to the east margin of Martin Luther King Jr. Way and the TRUE POINT OF BEGINNING.

SOUND TRANSIT PARCEL NO. RV-293 TAKE 1

That portion of Tract 15, Dunlap's Plat of Land on Lake Washington, according to the Plat recorded in Volume 3 of Plats, page 54, in King County, Washington, lying east of Empire Way, described as follows:

Beginning at the intersection of the east margin of Martin Luther King Jr. Way and the south margin of South Trenton Street;
thence South $88^{\circ}45'36''$ East, along the south margin of South Trenton Street, 134.76 feet to the intersection of the south margin of South Trenton Street and the west margin of 44th Avenue South;
thence South $01^{\circ}14'24''$ West, along said west margin of 44th Avenue South, 19.62 feet;
thence North $88^{\circ}46'09''$ West, 116.47 feet;
thence South $47^{\circ}09'47''$ West, 32.62 feet to a point on the east margin of Martin Luther King Jr. Way and to a point on a non-tangent curve to the left having a radius of 1546.09 feet and a radial bearing of North $81^{\circ}02'49''$ West;
thence northerly along said east margin and along the arc of said non-tangent curve through a central angle of $01^{\circ}34'48''$ an arc distance of 42.64 feet to the point of beginning.

SOUND TRANSIT PARCEL NO. RV-293 TAKE 2

That portion of Tract 15, Dunlap's Plat of Land on Lake Washington, according to Plat Recorded in Volume 3 of Plats, Page 54, in King County, Washington, lying East of Empire Way, described as follows:

Commencing at the intersection of the east margin of Martin Luther King Jr. Way and the north margin of South Henderson Street;
thence North $13^{\circ}33'24''$ East, along the east margin of Martin Luther King Jr. Way, 149.23 feet to a point on a curve to the left having a radius of 1546.09 feet;
thence northerly along the east margin of Martin Luther King Jr. Way and along the arc of said curve through a central angle of $01^{\circ}07'04''$ an arc distance of 30.16 feet to the TRUE POINT OF BEGINNING;

thence northerly along the arc of said curve through a central angle of 00°13'44"
an arc distance of 6.18 feet;
thence South 09°15'55" West, 4.05 feet;
thence South 88°46'12" East, 8.00 feet;
thence South 09°21'58" East, 33.57 feet to the west line of the City of Seattle
Transmission line right of way;
thence North 24°19'12" West, along said west line of the City of Seattle
Transmission line right of way, 34.31 feet to a point on the east margin of
Martin Luther King Jr. Way and the TRUE POINT OF BEGINNING.

SOUND TRANSIT PARCEL NO. RV-293 TAKE 3

Those portions of Lots 6, 7, 8, 9, 10, 11 and 12, Block 2, Dunlap's Supplemental
to the City of Seattle, according to the Plat Recorded in Volume 12 of Plats, Page
42, in King County, Washington, described as follows:

Commencing at the intersection of the east margin of Martin Luther King Jr. Way
and the north margin of South Henderson Street;
thence North 84°02'06" East, along the north margin of South Henderson Street,
115.80 feet to the TRUE POINT OF BEGINNING;
thence North 24°19'12" West, 10.32 feet;
thence South 88°53'08" East, 217.66 feet;
thence South 41°24'53" East, 10.75 feet to a point on the north margin of South
Henderson Street;
thence North 88°51'06" West, along the north margin of South Henderson Street,
208.22 feet;
thence South 84°02'06" West, along the north margin of South Henderson Street,
12.36 feet to the TRUE POINT OF BEGINNING.

EXCEPT for partial transfers of jurisdiction to the City of Seattle Engineering
Department for sewer per Ordinance No. 89677 and storm drain per
Ordinance No. 99866.

SOUND TRANSIT PARCEL NO. RV – 294

That portion of Tract 15, Dunlap's Plat of Land on Lake Washington, according
to the plat recorded in Volume 3 of Plats at page 54, in King County, Washington,
lying east of Martin Luther King Jr. Way (Empire Way);
EXCEPT that portion platted;
AND EXCEPT the City of Seattle Transmission line right-of-way.

Section 3. The above described parcels are dedicated for street purposes and are laid off
as part of the existing Martin Luther King Jr. Way S.

1 Section 4. Seattle City Light is authorized to accept payment from Sound Transit for the
2 transfer of jurisdiction authorized herein, in the amount of \$113,000 and to deposit the proceeds
3 in the City Light Fund.

4 Section 5. Any act consistent with the authority and prior to the effective date of this
5 Ordinance is hereby ratified and confirmed.

6 Section 6. This ordinance shall take effect and be in force 30 days after its approval by
7 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
8 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

9 Passed by the City Council the ____ day of _____, 2012, and
10 signed by me in open session in authentication of its passage this
11 ____ day of _____, 2012.

12
13
14 _____
15 President _____ of the City Council

16
17 Approved by me this ____ day of _____, 2012.

18
19 _____
20 Michael McGinn, Mayor

21
22 Filed by me this ____ day of _____, 2012.

23
24 _____
25 Monica Martinez Simmons, City Clerk

26 (Seal)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone-:
Seattle City Light	Lynn Best 386-4586	Calvin Chow 206-4652

Legislation Title:

AN ORDINANCE relating to Sound Transit's Central Link Light Rail project; declaring portions of Tracts 9, 10, and 11 of the Plat of Lake Dell, portions of Tract 15 of Dunlap's Plat of Land on Lake Washington, and portions of Block 2 Dunlop's Supplemental to the City of Seattle to be surplus to utility needs; authorizing the transfer of jurisdiction over said real property from the City Light Department and placing it under the jurisdiction of the Seattle Department of Transportation; laying off and dedicating said property for street purposes; and ratifying and confirming certain prior acts.

Summary of the Legislation:

This legislation will transfer jurisdiction from Seattle City Light (SCL) to the Seattle Department of Transportation (SDOT) over certain property in the Rainier Valley, related to construction of the Sound Transit Link Light Rail Project, will authorize the acceptance of \$113,300 to be paid by Sound Transit to City Light for this transfer, and will dedicate and lay off the transferred property as part of Martin Luther King Jr. Way South.

Background:

As part of the interlocal agreements between Sound Transit and the City of Seattle for construction of the Central Link Light Rail Project through the Rainier Valley, Sound Transit agreed to widen Martin Luther King Jr. Way South in those areas where the new light rail system would be constructed in the center of the prior existing roadway. Sound Transit agreed to compensate the abutting owners whose lands would be acquired to widen this roadway, including SCL.

The Central Link Light Rail Project has been completed and is now in service in the Rainier Valley. Martin Luther King Jr. Way South has been widened in the affected areas. Sound Transit will pay City Light \$113,000 for the property transferred by this legislation. This and companion legislation accepting certain easements from Sound Transit will complete City Light's real estate transactions in connection with the Central Link Light Rail Project.

The amount of compensation to be paid to the City was determined by appraisal obtained by Sound Transit and reviewed by the City.

X This legislation has financial implications. (Please complete all relevant sections that follow.)

Anticipated Revenue/Reimbursement: Resulting from this Legislation:

Fund Name and Number	Department	Revenue Source	2012 Revenue	2013 Revenue
City Light Fund 41000	City Light	Sound Transit	\$113,000	-0-
TOTAL			\$113,000	

What is the financial cost of not implementing the legislation?

If this legislation is not approved, City Light will not receive the compensation due from Sound Transit.

Does this legislation affect any departments besides the originating department?

Yes, this legislation will transfer jurisdiction over nine parcels of land from City Light to the Department of Transportation. This legislation has been reviewed with SDOT.

What are the possible alternatives to the legislation that could achieve the same or similar objectives?

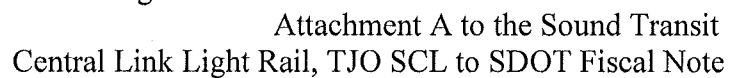
None

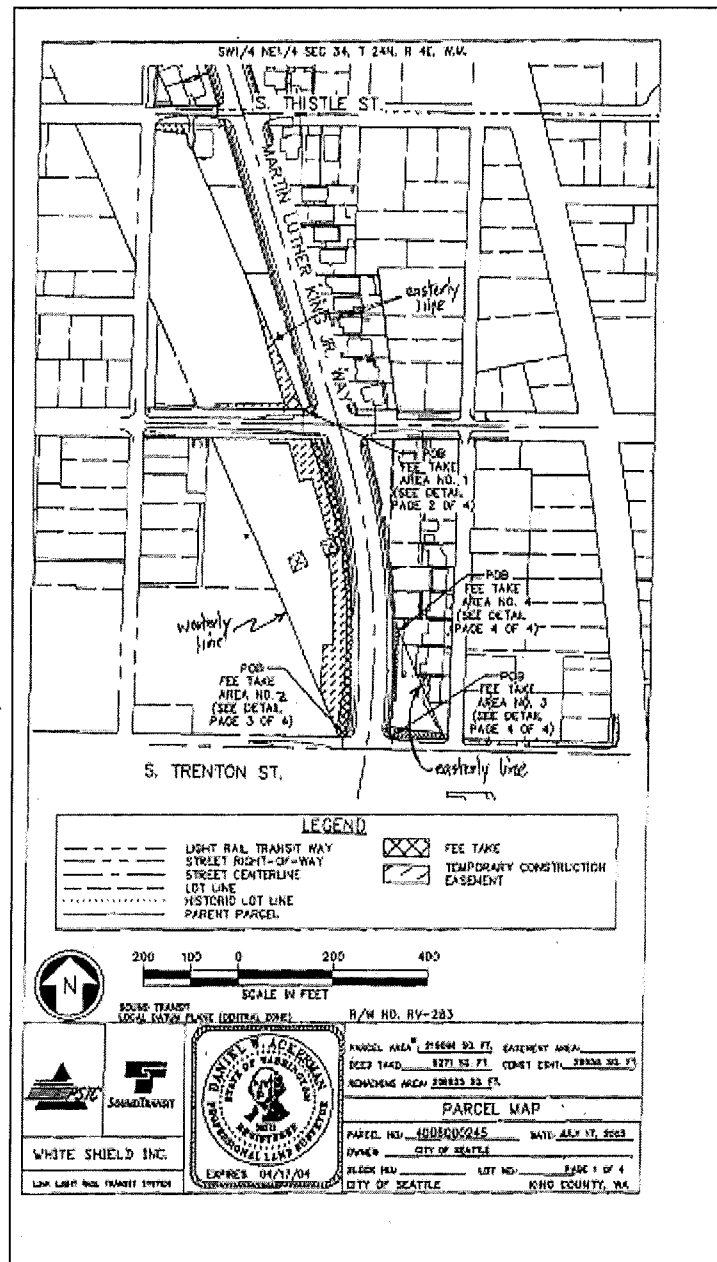
Is the legislation subject to public hearing requirements?

Yes. RCW 35.94.040 requires that a public hearing before utility property can be conveyed for a non-utility purpose.

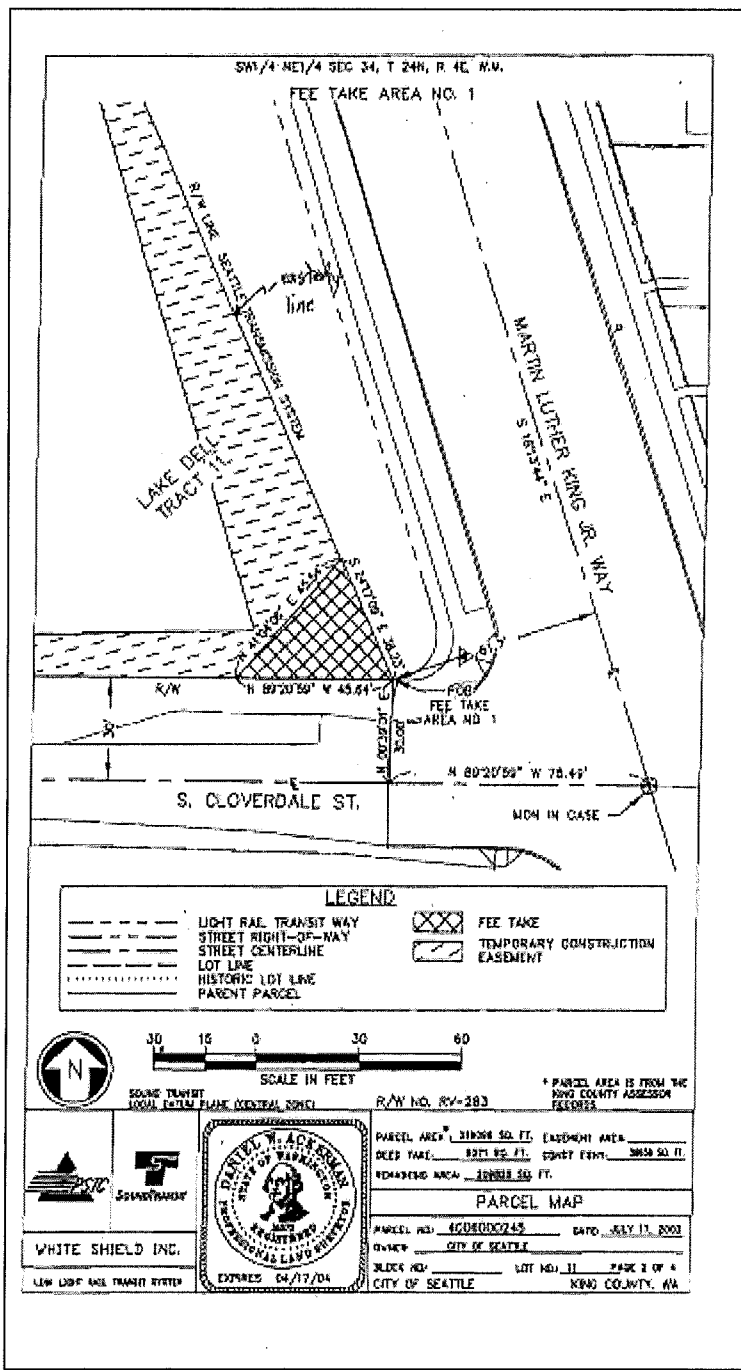
List attachments to the fiscal note below:

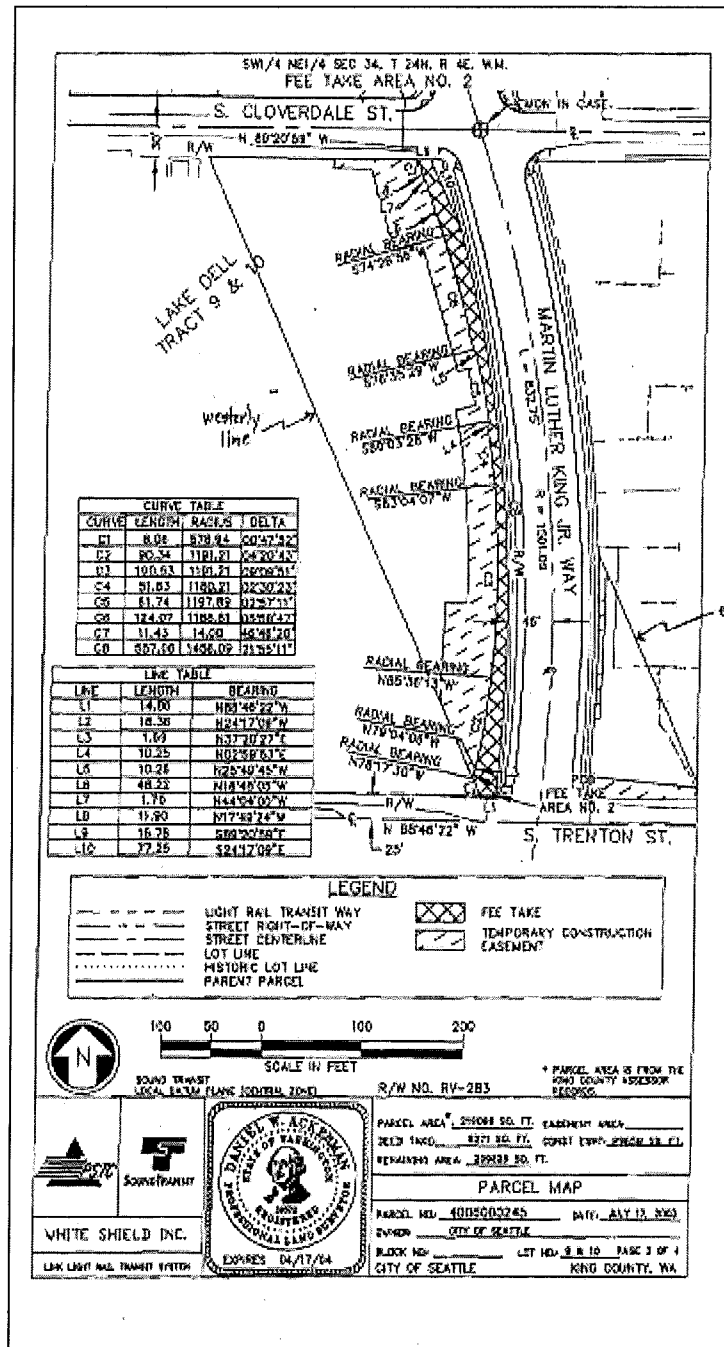
Attachment A: Parcel Maps of the nine parcels being transferred. These Parcel Maps are for informational purposes only and are not intended to modify or supplement the legal descriptions in the Ordinance.

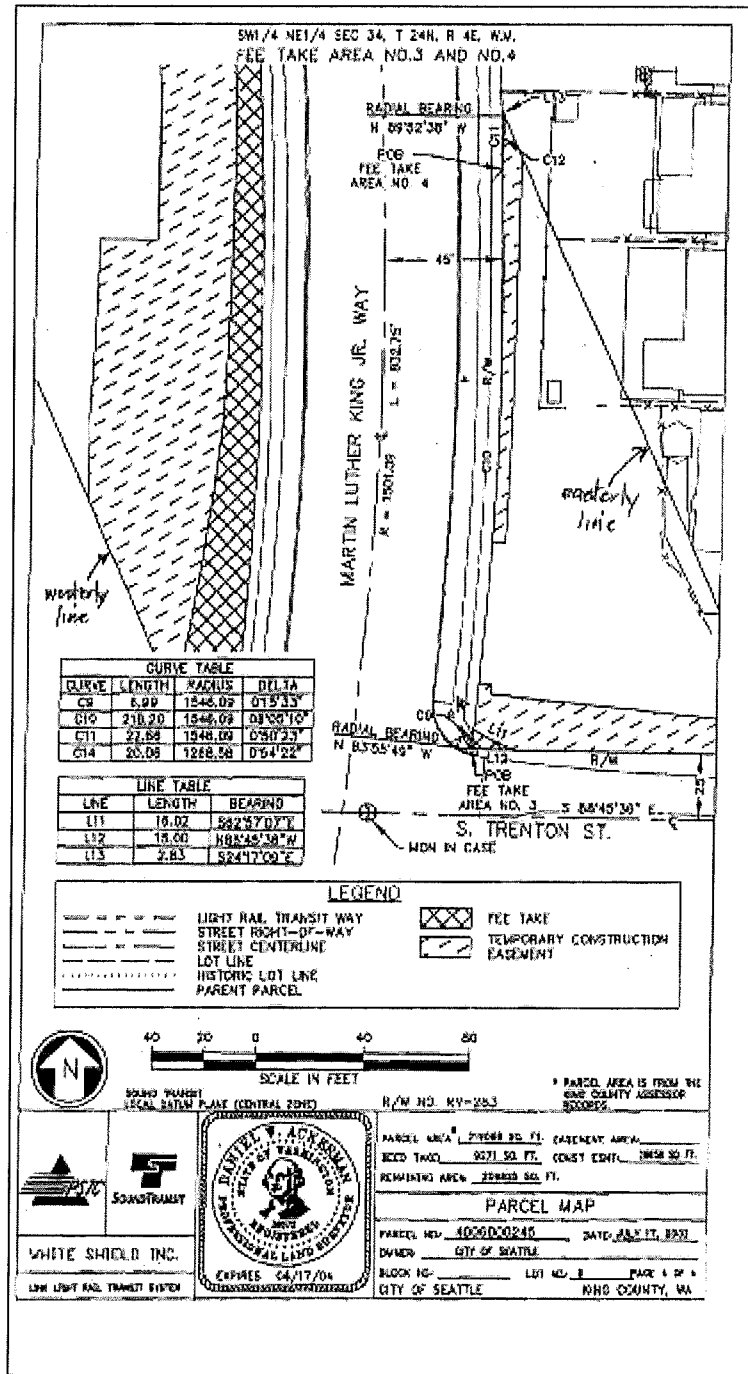


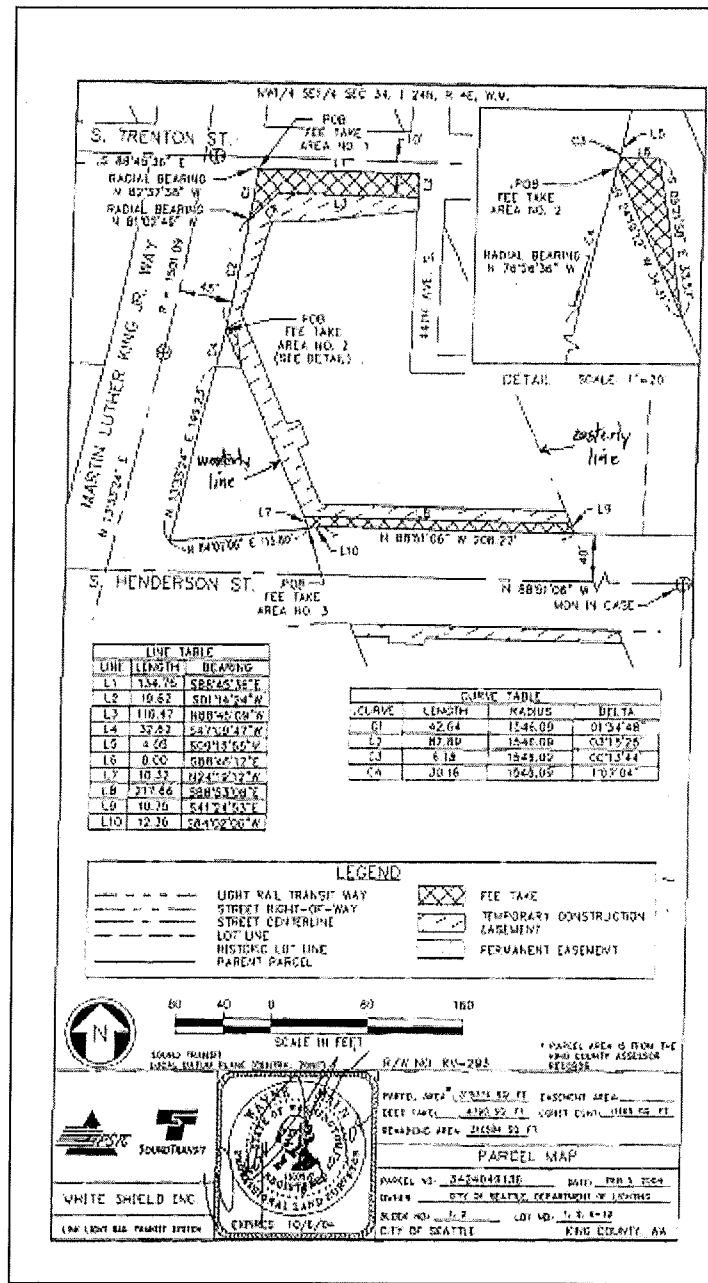


Version #1

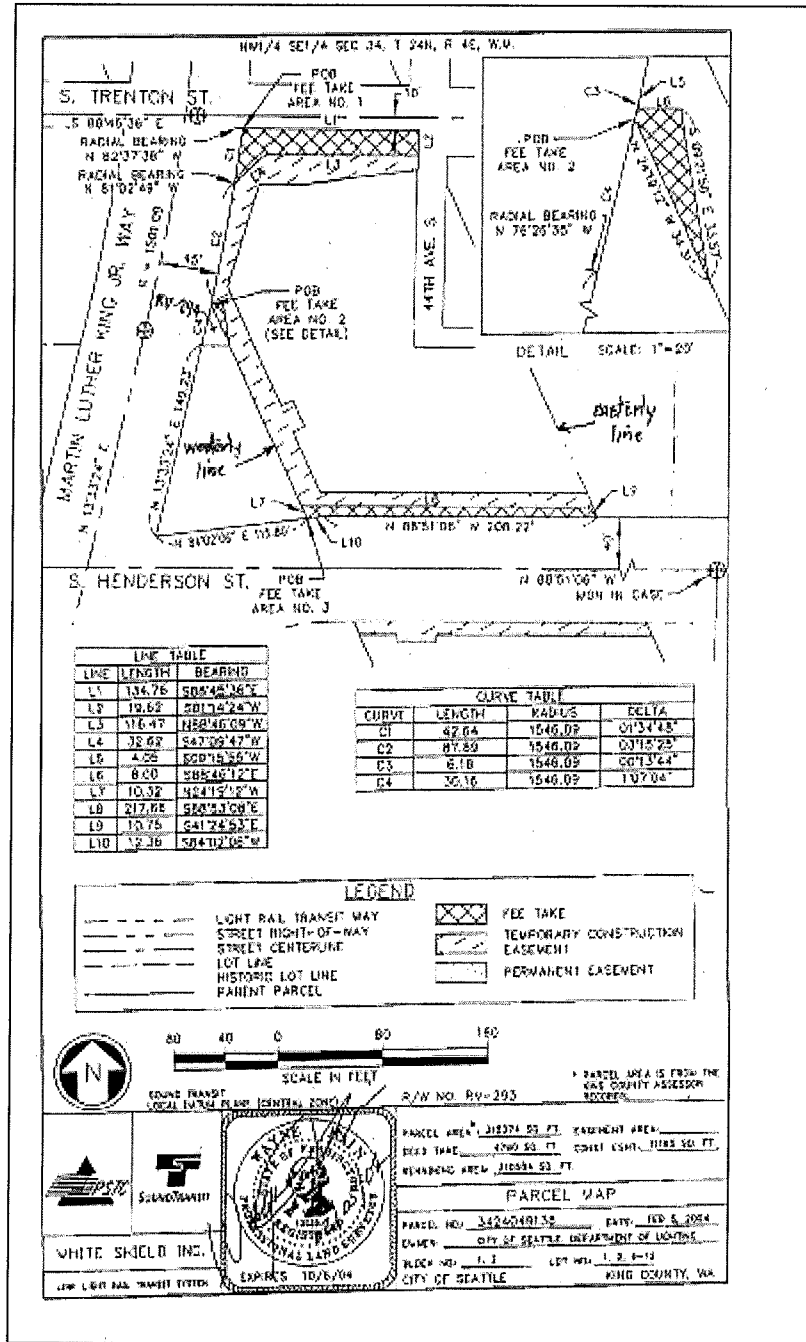








Attachment B Parcel Maps





City of Seattle
Office of the Mayor

May 15, 2012

Honorable Sally J. Clark
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Clark:

I am pleased to transmit the attached proposed ordinance which will transfer jurisdiction over certain real property in the Rainier Valley from Seattle City Light to the Seattle Department of Transportation. This transfer was necessary as part of the Sound Transit Central Link Light Rail Project, and accommodated the widening of Martin Luther King Jr. Way South for the new rail line. Sound Transit will compensate Seattle City Light \$113,000 for this transfer.

This legislation will require a public hearing pursuant to RCW 35.94.040

The Central Link Light Rail Project provided a model of interagency cooperation between the City of Seattle and Sound Transit, and is now being emulated in construction of the University and Northgate Links. Seattle City Light has been pleased to support these projects. This ordinance and companion legislation accepting certain easements from Sound Transit will complete City Light's real estate transactions in connection with the Central Link Project.

Thank you for your consideration of this legislation. Should you have questions, please contact Lynn Best at 386-4586.

Sincerely,

Michael McGinn
Mayor of Seattle

cc: Honorable Members of the Seattle City Council